

VZCZCXRO7662
RR RUEHROV
DE RUEHKH #0547/01 1001524
ZNR UUUUU ZZH
R 091524Z APR 08
FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC 0510
INFO RUCNIAD/IGAD COLLECTIVE

UNCLAS SECTION 01 OF 02 KHARTOUM 000547

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SENSITIVE
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E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [KSCA](#) [OTRA](#) [EAID](#) [CDC](#) [SU](#)
SUBJECT: AEC PLENARY: DISAGREEMENT OVER ABYEI AND CENSUS

REFS: A) KHARTOUM 508
B) KHARTOUM 524
C) KHARTOUM 472

¶1. (U) SUMMARY: The Assessment and Evaluation Commission (AEC) met in plenary session April 8. Highlights included disagreement by the two sides over an Administrator for the Abyei area, and over inclusion of questions on ethnicity and religion in the upcoming census. CDA Fernandez briefed on his recent trip to Abyei (REFS A and B), in the process joining others in urging the two sides to come to an agreement on naming an Administrator for the neglected area. The Italian Ambassador briefed on the Power Sharing Working Group's field visit to Juba the previous day (April 7), at which the Census was the featured topic. The SPLM reiterated its insistence on amending the census questionnaire, without conceding that the change would force postponement of the census. END SUMMARY.

CHAIRMAN'S REPORT

¶2. (U) AEC Chairman Amb. Derek Plumbly reported on his introductory meetings with various international observers of the CPA process. He said that everywhere he received assurances of renewed focus on and support for the CPA process. The Vice Chairman (the Kenyan Ambassador who had led the Kenyan Delegation to the recent African Union ministerial visit to Khartoum, REF C) told the meeting that the African ministers had explored ways to mobilize the international community in support of the CPA and Darfur peace processes, discussed how the upcoming census could be carried out in Darfur, and agreed on the urgent need to provide capacity building assistance for Southern Sudan.

ABYEI: INCONCLUSIVE DISCUSSION ON ADMINISTRATOR

¶3. (U) The Dutch Ambassador briefed on the current situation in Abyei. As Coordinators of the Three Areas Working Group, the Dutch are planning a field visit to Abyei, but postponed scheduling of it until after April 9, when the Presidency is to discuss the area. U.S. CDA Fernandez then gave a readout of his recent trip to Abyei. He noted that the U.S. is looking for ways to increase development and humanitarian assistance in the Abyei and Muglad areas. The single most important step forward would be for the parties immediately to agree on a fixed border and a mutually acceptable administrator. He noted the controversy surrounding the presence of Edward Lino, but said he had brought with him much needed technical expertise that have been sorely lacking. Absent an agreement, he appealed for UNMIS to be granted unfettered access in the area.

¶4. (U) Further, CDA Fernandez stressed the need for balanced media reporting and for an end to inflammatory language (such as use of the word "jihad") on both sides. Finally, he said both sides should facilitate and stop interfering with NGOs working in the area.

¶5. (U) The two sides then engaged in a lively discussion of the status of Edward Lino (REF B), and the situation in Abyei. The SPLM rep said the Lino appointment was only made ad interim, to fill the vacuum until the Presidency could confirm an appointment to the post

of Administrator. The two sides are getting closer to finding a solution to the Abyei situation, she said. The NCP insisted that only the Presidency could name an Administrator, and that any other party usurping that function only added to confusion in the region. He charged that there were reports of armed SPLA elements accompanying Lino into Abyei. Finally, he denied that there was any "vacuum" in Abyei to be filled, insisting that there remained a lawful (i.e., Khartoum-appointed) administrator in the area who could fill this function until the Presidency names a replacement.

¶16. (U) Chairman Plumbly attempted to foster consensus, pointing out that access for UNMIS is very important and that the parties should rely on the political process to forge a compromise. He said the two sides need to "reduce the temperature" on what is said and done on the ground. He noted the vacuum on the ground with regard to services and urged "if our goal is to make unity attractive, then it's vital to make the three areas a success."

¶17. (U) After further squabbling over the Abyei situation, Charge Fernandez cited an example to illustrate the current situation: Abyei town will have electricity for the first time next month as a result of U.S. developmental assistance. "We want to do more, but we've refrained from doing so because there is no government there to work with," he said. That effectively brought the Abyei discussion to a close.

CENSUS: ETHNICITY-RELIGION QUESTION GOES NOWHERE

¶18. (U) The Italian Ambassador briefed on the Italian-sponsored Power Sharing Working Group visit to Juba April 7 (which included a PolOff from the U.S. Embassy). The group had been briefed by the heads of both the Northern and Southern census bureaus. He noted

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that there was still disagreement over inclusion on the census form of the questions on Ethnicity and Religion. The SPLM rep reiterated, as she had in Juba, the SPLM position that there was no point in going through with the census if the two questions are not included. In turn, the NCP rep noted that the SPLM had earlier agreed to the census form as it was being distributed, without the two contentious questions.

¶19. (U) NOTE: At the Juba session, the CBS Director General noted, with no disagreement from his southern counterpart, that there was no time remaining to print up an "appendix" form to include the two questions. Doing so, he said, would mean postponing the census until after the rainy season. END NOTE.

¶10. (U) Chairman Plumbly brought the census discussion to a close by noting, inconclusively, that "it is hard to reconcile the demand to adjust the questionnaire with the pressing need to move ahead on the census."

WORKING GROUP STATUS REPORTS: SLOW PROGRESS ON MTE

¶11. (U) The Coordinators of each of the working groups reported on their group's activities, most of which relate to the Mid-Term Evaluation. CDA Fernandez noted that the U.S. is close to completing a first draft of the Wealth Sharing Working Group's contribution to the MTE. He noted that the WSWG has arranged two upcoming events to provide input for the MTE: a return appearance before the WSWG of the Chairman of the Fiscal and Financial Allocation and Monitoring Commission (FFAMC) on April 10, and then a field visit April 16 to Juba to hear presentations by GoSS officials.

Other Business

¶12. (U) Amb. Plumbly said the next AEC plenary may be scheduled for May 1 (not a holiday in Sudan), to avoid conflict with the Consortium meeting May 3-5. The meeting ended with the two sides pledging their commitment to provide the resources to ensure

finishing the MTE on time. The NCP rep was the most categorical, stating that at every meeting, they would have a representative empowered to make decisions. The rep of the SPLM (from which most of the scheduling difficulties have come) was not as forthcoming in her assurances, but said her party would do likewise.

¶13. (SBU) COMMENT: The AEC plenary session highlighted the currently discouraging state of play on CPA implementation, with the disagreement over the census the most immediate problem. However Abyei remains the most serious and intractable issue on CPA implementation. Both parties noted that the Presidency will discuss Abyei April 9, though neither seemed very optimistic that an agreement would be reached any time soon.

FERNANDEZ